

THE HONORABLE THOMAS S. ZILLY

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON

BUNGIE, INC., a Delaware corporation,

Plaintiff

v.

AIMJUNKIES.COM, a business of unknown
classification; PHOENIX DIGITAL GROUP
LLC, an Arizona limited liability company;
JEFFREY CONWAY, an individual; DAVID
SCHAEFER, an individual; JORDAN GREEN,
an individual; and JAMES MAY, an individual,

Defendants.

Cause No. 2:21-cv-0811 TSZ

**DEFENDANTS' MOTION TO
SEAL**

**Note On Motion Calendar:
August 7, 2023**

Pursuant to LCR 5(g) and Section 4.4 of the applicable Protective Order, dated July 20, 2022 (see Dkt#60) (the "Protective Order"), Defendants by and through their counsel, respectfully request that the Court seal Exhibits A, B and C of the Declaration of Philip P. Mann ("Mann Decl.") filed in connection with Defendants' Opposition to Plaintiff's Motion For Summary Judgment filed contemporaneously herewith.

The Exhibits consist of a documents and deposition transcripts that Plaintiff Bungie has designated as "Confidential" or "Highly Confidential" under this Court's July 20, 2022 Protective Order, Dkt#60. The purpose of this motion is to respect and protect those designations.

The parties are entitled to file these documents under seal pursuant to LCR 5(g)(2)(A) because this Court issued a prior Protective Order, authorizing the parties to file confidential documents under seal. The private interests of the parties in protecting their confidential and

1 proprietary business records outweigh any interest that the public may have in knowing the
2 contents of these exhibits. See LCR 5(g)(3)(B). Additionally, there is no less restrictive
3 alternative for protecting the contents of these exhibits because the confidential information
4 contained within them needs to be placed before the Court for proper consideration of the
5 pending motions.

6 In accordance with LCR 5(g)(1)(A) and 5(g)(3)(A), counsel for the parties previously
7 met and conferred in connection with this Motion to Seal on August 7, 2023.

8 Dated August 7, 2023.

9 /s/ Philip P. Mann

10 Philip P. Mann, WSBA No: 28860

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